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FISCAL IMPACT REPORT

SPONSOR Taylor DATE TYPED 2/21/05 HB HM 13

SHORT TITLE Support President's Malpractice Reform SB _____

ANALYST Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

Relates to
HM 7, HJM 67

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Health (DOH)
General Services Department (GSD)

SUMMARY

Synopsis of Bill

House Memorial 13 makes findings related to the negative impact of increasing medical malpractice awards and malpractice insurance premiums and calls upon the New Mexico congressional delegation to support the President's medical malpractice liability reform proposal.

Significant Issues

The President's medical malpractice liability reform proposal would limit non-economic awards to no more than \$250 thousand. According to DOH, this cap is lower than New Mexico's cap of \$600 thousand. New Mexico law provides two other protections which would not be pre-empted by federal law, including a review by a commission before a claim is brought to court and a time limit in which claims can be filed.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

House Memorial 7 calls on the New Mexico congressional delegation to support the President's class-action reform proposal and medical malpractice liability reform proposal. House Joint Memorial 67 creates a task force to study the causes and effects of increasing medical malpractice insurance rates.

EF/yr